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THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Josephine Amatucci

v.

Charles Greenhalgh, individually

CASE 22-cv-340 -LM

MOTION FOR JUDGMENT AS A MATTER OF LAW

VIOLATION OF DUE PROCESS

NO RES JUDICATA/COLLATERAL ESTOPPEL

FRAUD IS NEVER FINAL

1. The Plaintiff's claims in this case are based on Greenhalgh's violation of Due Process when he refused to litigate her Motion to Dismiss, and when he MALICIOUSLY accused her of an Assault when at the trial a witness to the event at the Dump made it clear that the Plaintiff never pushed Robert Maloney down the step at the Dump, as Maloney was NEVER STANDING AT THE DOOR, was never in the way of the Plaintiff, was outside the door of the entrance to the office at the dump, and therefore, was never standing in the doorway as Maloney stated. That Maloney was guilty of accusing the Plaintiff of a crime she never committed.

GREENHALGH GUILTY OF BIAS

2. Also, Greenhalgh showed BIAS in the case, when the Plaintiff was cross-examining Robert Maloney, who claimed he only knew the Plaintiff from coming

to the dump over the years, when the Plaintiff questioned Maloney that she had a RESTRAINING ORDER on his mother Pauline Maloney, and that he knew the Plaintiff becasue he lieved next door from her for years, Greenhalgh INTERRUPTED the conversation (bias) and SHOUTED TO MALONEY.....'DON'T ANSWER THAT'. Guilty of GRAVE PROCEDURAL ERRORS, See Stump v. Sparkman 435 U.s. 349, 359 (1978), stating . Rippo v. Baker.

3. Therefore, Greenhalgh's rulings and decsions were in violation of Due Process and also bias. He lost jurisdiction to rule in this case. His rulings are void of no legal force. He is disqualified as a judge under the Fifth Amendment and under violation of Due Process, when he refused the Plaintiff's Motion to Dismiss, based on exculpatory evidence that the Prosecution by the defendants was a Malicious Prosecution.

4. As stated by the Court, "While a judge performing judicial functions may enjoy immunity, DENIAL OF CONSTITUTIONAL AND CIVIL RIGHTS ARE ...."ABSOLUTELY NOT A JUDGICAL FUNCTION AND CONFLICTS WITH ANY DEFINITION OF JUDICIAL FUNCTION."

5. That Greenhalgh denied the Plaintiff Due Process when he denied to rule on her Motion to Dismiss, bias when he interferred with the Plaintiff's RIGHT TO CROSS-EXAMINE Maloney, when he ignored a witness testimony, a witness to the event at the Dump, who stated to the Court that contrary to what Robert maloney was stating that he was standing in the doorway when the Plaintiff pushed him aside to get inside the office at the dump, the witness stated to the judge, Maloney was NEVER STANDING IN THE DOORWAY. Yet Greenhalgn with BIAS still convicted the Plaintiff of an Assault against Maloney. The Plaintiff states that Greenhalgn violated his OATH OF OFFICE. And he will be held accountable where his actions fell outside the boundaries of his job description. Acts no longer a Judicial Act but an INDIVIDUAL

ACT as the ACT represented his own prejudices and goals. That he trespassed the law that he did not follow the law, and therefore he lost jurisdiction and his orders are void of no legal force.

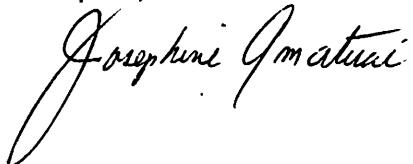
6. The above issues are one of the outstanding reasons why the framers of the CONSTITUTION installed TRIAL BY JURY as the Seventh Amendment.

7. And where we will not allow Government to ignore our rights this case is going before a jury of my peers, as allowed under Due Process of the law, under violations of my Federal Constitutional Rights. Or the courts are a treat to our way of life.

Respectfully,

Josephine Amatucci

April 6, 2024

A handwritten signature in black ink, appearing to read "Josephine Amatucci".

FROM: DAVID PHILIP AMARAL  
P.O. Box 2722  
WOLFEBORO, NH 03894



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